

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

QVC, INC.,

Plaintiff,

v.

RESULTLY, LLC,

Defendant.

CIVIL ACTION

NO. 14-6714

ORDER

AND NOW, this 9th day of February, 2016, upon consideration of Defendant Resultly LLC's Motion to Dismiss Plaintiff QVC, Inc.'s Amended Complaint (ECF No. 60), the opposition thereto (ECF No. 63), Defendant Resultly's Reply (ECF No. 73), and the Plaintiff's Sur-Reply (ECF No. 77); Defendant Ilya Beyrak's Motion to Dismiss [Plaintiff's] QVC, Inc.'s Amended Complaint (ECF No. 76); the opposition thereto (ECF No. 81), and Defendant Beyrak's reply (ECF No. 82); VigLink's Motion to Dismiss Plaintiff's Amended Complaint (ECF No. 78), the opposition thereto (ECF No. 83), and Defendant VigLink's reply (ECF No. 88); and oral argument, **IT IS ORDERED** that:

1. Defendants' motions to dismiss are **GRANTED IN PART AND DENIED IN PART**:
 - a. The motions to dismiss Count I are **GRANTED**. Count I is **DISMISSED** against all Defendants;
 - b. The motions to dismiss Count II are **DENIED** as to Defendants Resultly and Beyrak and **GRANTED** as to Defendant VigLink. Count II is **DISMISSED** against Defendant VigLink;
 - c. The motions to dismiss Count III are **DENIED** as to Defendants Resultly and Beyrak and **GRANTED** as to Defendant VigLink. Count III is **DISMISSED** against Defendant VigLink;
 - d. The motions to dismiss Count IV are **DENIED** as to Defendants Resultly and Beyrak and **GRANTED** as to Defendant VigLink. Count IV is **DISMISSED** against Defendant VigLink;

- e. The motions to dismiss Count V are **GRANTED**. Count V is **DISMISSED** against all Defendants;
- f. The motions to dismiss Counts VI–IX are **GRANTED**. Counts VI–IX are **DISMISSED** against all Defendants;
- g. The motions to dismiss Count X are **GRANTED** as to Defendant Resultly and **DENIED** as to Defendant VigLink. Count X is **DISMISSED** against Defendant Resultly;
- h. The motion to dismiss Count XI is **DENIED**;
- i. The motions to dismiss Count XII are **GRANTED**. Count XII is **DISMISSED** against Defendants Resultly and VigLink;
- j. The motions to dismiss Count XIII are **GRANTED** as to Defendant Resultly and **DENIED** as to Defendant VigLink. Count XIII is **DISMISSED** against Defendant Resultly;
- k. The motion to dismiss Count XIV is **GRANTED**. Count XIV is **DISMISSED**;
- l. The motions to dismiss Count XV are **GRANTED** as to Defendant Resultly and **DENIED** as to Defendant VigLink. Count XV is **DISMISSED** against Defendant Resultly; and
- m. The motion to dismiss Count XVI is **DENIED**.

BY THE COURT:

/S/WENDY BEETLESTONE, J.

WENDY BEETLESTONE, J.